

11-10-04

PTO/SB/21 (08-00)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/787,443

Filing Date 02/26/2004

First Named Inventor Koenck, et al.

Group Art Unit | Not yet assigned

Examiner Name Not yet assigned

**Total Number of Pages in This Submission**

11

Attorney Docket Number | 14425US02

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO 1449/08A with references <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) ( sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return-Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="text"/> Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	McAndrews Held & Malloy, Ltd.		
Name (Print/type)	Ronald H. Spuhler	Registration No. (Attorney/Agent)	52,245
Signature			Date: November 9, 2004

**EXPRESS MAIL DEPOSIT**

"Express Mail" mailing label number : EV 218986363 US  
Date of Deposit November 9, 2004.

O I P E NOV 8 9 2004 SC189  
PATENT & TRADEMARK OFFICE

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 1,530)

*Complete if Known*

Application Number	10/787,443
Filing Date	02/26/2004
First Named Inventor	Koenck, et al.
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	14425US02

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money  Other  None  
Order

Deposit Account:

Deposit Account Number

13-0017

Deposit Account Name

McAndrews Held & Malloy

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

**Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>	Fee Paid
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>				(\$ 0)	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below	Fee Paid
		=	0	X	=
Independent Claims		3**	=	0	X = 0
Multiple Dependent				X	= 0

**Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>				(\$ 0)	

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

**Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	1,530
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,370	2453	685	Petition to revive – unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid

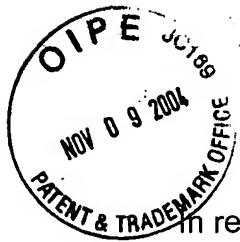
**SUBTOTAL (3)** (\$ 1,530)

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Ronald H. Spuhler	Registration No. (Attorney/Agent)	52,245	Telephone	312-775-8000
Signature	Ronald H. Spuhler			Date	November 9, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Attorney Docket Number 14425US02

In re Application of: )  
Steven E. Koenck, et al. )  
Serial No. 10/787,443 ) Express Mail Label No.:  
Filing Date: February 26, 2004 ) EV 218986363 US  
For: MODULAR, PORTABLE DATA )  
PROCESSING TERMINAL FOR USE ) Date of Deposit: November 9, 2004  
IN A COMMUNICATION NETWORK )  
Group Art: Not yet assigned )  
Confirmation No.: Not yet assigned )  
Examiner: Not yet assigned )  
)

**RESPONSE TO NOTICE OF INFORMAL APPLICATION**

Attention: Mail Stop Missing Parts  
Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the May 17, 2004 Notice of Informal Application (attached as Exhibit A), Applicants submit the Declaration attached as Exhibit B, which was submitted in the parent case and has been duly executed by, or on behalf of, the inventors of the subject matter currently claimed in this application. (One of the inventors, Phillip Miller, is deceased, and as such the executor of his estate, Julie Ann Miller, signed on Mr. Miller's behalf.) In light of this submission, Applicants believe that this application is ready for examination.

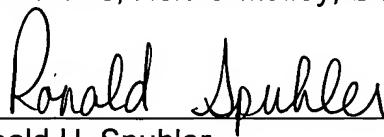
Applicants also submit herewith as Exhibit C a request for a four (4) month extension of time in which to respond to the Notice of Informal Application, along

with the appropriate fee. The Commissioner is hereby authorized to charge any additional fees required by this submission to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

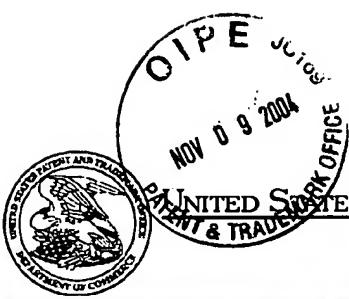
Dated: November 9, 2004

Respectfully submitted,  
McAndrews, Held & Malloy, Ltd.

By:

  
Ronald H. Spuhler  
Reg. No. 52,245  
Attorney for Applicant

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/787,443	02/26/2004	Steven E. Koenck	14425US02

Christopher C. Winslade  
 McAndrews, Held & Malloy  
 Suite 3400  
 500 W. Madison Street  
 Chicago, IL 60661

**CONFIRMATION NO. 7829**  
**FORMALITIES LETTER**



\*OC000000012686097\*

Date Mailed: 05/17/2004

### NOTICE OF INFORMAL APPLICATION

This application is considered to be informal since it does not comply with the regulations for the reason(s) indicated below. The period within to correct the informalities noted below and avoid abandonment is set in the accompanying Office action.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- does not identify the complete mailing or post office address of each inventor.
- does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

*AG*  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE